IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2603 OF 2005.

IN

FIRST APPEAL NO.519 OF 2003.

Sou. Nirmala Shivanand Bhat : Applicant.

versus

The New India Assurance

Co.Ltd. & ors. : Respondents

Mr. Amit Borkar for the applicant/Org. Respondent.

Mr.S.S.Vidyarthi for the Respondent No.1/org. Appellant.

CORAM : D.G.DESHPANDE,J.

DATED : 16th September 2005.

ORAL ORDER

1. Heard advocates for the applicant and respondent NO.1. The victim in the accident has

filed this application for permission to withdraw the amount of compensation deposited by the appellant Insurance Company with the MACT Kolhapur. The applicant/respondent is the victim of an accident and the result is, there is disfigurement of her face and she has lost her ability to smell. Therefore, in view of this fact, the applicant/respondent is permitted to withdraw 50% of the amount deposited with the MACT Kolhapur without security but against execution of bond to the satisfaction of the MACT Kolhapur. Rest of the amount to be invested with the nationalised bank for a period of one year initially. Civil Application is disposed of.

[D.G.DESHPANDE,J]